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19 UNITED STATES DISTRICT COURT
20 NORTHERN DISTRICT OF CALIFORNIA
21 SAN FRANCISCO DIVISION

22 WAYMO LLC,
23 Plaintiff,
24 v.
25 UBER TECHNOLOGIES, INC.,
26 OTTOMOTTO LLC; OTTO TRUCKING LLC,
27 Defendants.

Case No. 3:17-cv-00939-WHA

**DEFENDANTS UBER
TECHNOLOGIES, INC. AND
OTTOMOTTO LLC'S
ADMINISTRATIVE MOTION TO
FILE UNDER SEAL THEIR
RESPONSES TO COURT'S
QUESTIONS 1-2 AND 5-8 FOR
FURTHER HEARING ON MOTION
TO STRIKE ASSERTED TRADE
SECRET NUMBER 96**

Pursuant to Civil Local Rules 7-11 and 79-5, Defendants Uber Technologies, Inc. and Ottomotto LLC (“Defendants”) submit this motion for an order to file under seal portions of their Responses to Court’s Questions 1-2 and 5-8 for Further Hearing on Motion to Strike Asserted Trade Secret Number 96. Specifically, Defendants request an order granting leave to file under seal the confidential portions of the following documents:

Document	Portions to Be Filed Under Seal	Designating Party
Responses to Court’s Questions 1-2 and 5-8 for Further Hearing on Motion to Strike (“Responses”)	Highlighted Portions	Plaintiff (green) Defendants (blue)
Exhibit A	Entirety	Plaintiff Defendants
Exhibit B	Entirety	Plaintiff Defendants Third-party Velodyne

The blue-highlighted portions of the Responses and the entireties of Exhibits A and B contain highly confidential information regarding the technical details of Uber’s LiDAR systems. This highly confidential information is not publicly known, and its confidentiality is strictly maintained. Disclosure of this information could allow competitors to obtain a competitive advantage over Uber by giving them details into the technical features of Uber’s LiDAR sensors, such that Uber’s competitive standing could be significantly harmed. (Declaration of Michelle Yang in Support of Defendants’ Administrative Motion to File Documents Under Seal (“Yang Decl.”) ¶ 3.)

The entirety of Exhibit B contains highly confidential technical information of third-party Velodyne. Defendants request the Court keep this third-party’s technical information sealed in order to protect its competitive standing. (Yang Decl. ¶ 4.)

The green-highlighted portions of the Responses and the entireties of Exhibits A and B contain information that has been designated “Highly Confidential – Attorneys’ Eyes Only” by

Waymo in accordance with the Patent Local Rule 2-2 Interim Model Protective Order (“Protective Order”), which the parties have agreed governs this case (Transcript of 3/16/2017 Hearing, page 6). Defendants file this material under seal in accordance with Paragraph 14.4 of the Protective Order. (Yang Decl. ¶ 5.)

Defendants file the Responses entirely under seal to provide Waymo the opportunity to file revised green highlighting and redactions.

Pursuant to Civil Local Rule 79-5(d)(2), Defendants will lodge with the Clerk the documents at issue, with accompanying chamber copies.

Defendants served Waymo with this Administrative Motion to File Documents Under Seal on September 5, 2017.

For the foregoing reasons, Defendants request that the Court enter the accompanying Proposed Order granting Defendants’ Administrative Motion to File Documents Under Seal and designate the service copies of these documents as “HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY.”

Dated: September 5, 2017

MORRISON & FOERSTER LLP

By: /s/ Arturo J. González
ARTURO J. GONZÁLEZ

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